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agencies, and universities are **not** considered units of local government for the purposes of this grant program unless they meet the “unit of local government” definition under 42 U.S.C. § 3791 (see footnote 3 below). Applications from typically “non-eligible” entities that want to assert “unit of local government” under 42 U.S.C. § 3791 must include proof of such status. These agencies or organizations may administer grant funds and assume responsibility for the development and implementation of the project, but they may not apply directly to OVW for funding support.

Indian Tribe

For the purposes of this Program, **Indian tribe** is defined as any tribe, band, pueblo, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation (as defined in or established under the Alaska Native Claims Settlement Act, 43 U.S.C. §1601 et seq.), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians (25 U.S.C. § 450b (e)). Any applicant representing a consortium of tribal governments and/or organizations must submit a resolution from the constituent tribal governments and/or organizations supporting the application.

Notice to Tribal Applicants

The Violence Against Women Act of 2005 created a new program, the Grants to Tribal Governments Program, which is tailored to the needs of tribal governments in responding to domestic violence, dating violence, sexual assault, and stalking. This program combines the purpose areas from several existing programs including this one. While tribal governments are still eligible applicants within this program, there is no longer a tribal set aside; the new statute requires the set-aside funds to be transferred to the new program. Tribes will no longer need to submit several applications for multiple purposes. They will now be able to apply for all of the purposes, including supervised visitation and exchange, within one application for the new program. The solicitation for the Grants to Tribal Governments Program is expected to be available in January, 2007. Notwithstanding the new grant program, all eligible applications from Indian Tribal governments submitted under this solicitation will be considered for funding.

Funding to Faith-Based and Community Organizations

Consistent with President George W. Bush's Executive Order 13279, dated December 12, 2002, and 28 C.F.R. Part 38, it is DOJ policy that faith-based and community organizations that statutorily qualify as eligible applicants under DOJ programs are invited and encouraged to apply for assistance awards to fund eligible grant activities. Faith-based and community organizations will be considered for awards on the same basis as any other eligible applicants and, if they receive assistance awards, will be treated on an equal basis with all other grantees in the administration of such awards. No eligible applicant or grantee will be discriminated for or against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization.

Faith-based organizations receiving DOJ assistance awards retain their independence and do not lose or have to modify their religious identity (e.g., removing religious symbols) to receive assistance awards. DOJ grant funds, however, may not be used to fund any inherently religious activity, such as prayer or worship. Inherently religious activity is permissible, although it cannot occur during an activity funded with DOJ grant funds; rather, such religious activity must be separate in time or place from the DOJ-funded program. Further, participation in such activity by individuals receiving services must be voluntary. Programs funded by DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion.

Applicants are encouraged to review the Civil Rights Compliance section under “Additional Requirements” in this announcement.

OVW Safe Havens: Supervised Visitation and Safe Exchange Grant Program – Specific Information

Types of Applicants

In FY 2007, OVW will accept applications for the Supervised Visitation Program from new applicants and current grantees. New applicants are former grantees or applicants that have never received Supervised Visitation Program funds. Please note that a current grantee whose grant award will have expired by February 13, 2007 must apply as a new applicant. Grantees that received 24 months of funding in FY 2005, received 12 months of funding in FY 2006, or whose current grant award will expire after February 13, 2007 are eligible to apply for continuation funding. FY 2006 grantees who received a 24-month grant award are not eligible to apply for FY 2007 Supervised Visitation Program grant funds.

In FY 2007, new grantees are only eligible to apply for a three-year Supervised Visitation development project grant. Current grantees are eligible to apply for two types of continuation project grants: a five-year project or a standard two-year project (please note: State applicants are only eligible to apply for a standard two-year project). The development and continuation project grants are described below.

Development Projects

New applicants are invited to apply for a development project grant. This includes former Supervised Visitation grantees who did not receive funding in FY 2005, or a 24 month award in FY 2006, or whose current grant award will have expired before February 13, 2007. The duration of this development grant is three-years (36 months) divided into 2 phases,⁴ a planning phase and an implementation phase.

- 1) Planning Phase: The grantee will allocate a set amount of funds (limited to \$50,000) for the planning phase of the grant. These grantees (communities with established visitation centers seeking to incorporate a Supervised Visitation Program component into their services **or** communities seeking to establish a new visitation and exchange center) will work with OVW and Supervised Visitation Technical Assistance providers to establish the groundwork for developing a Supervised Visitation Program. The planning phase may be for up to 18 months, depending upon the length of time it takes the grantee to successfully complete this phase and meet program requirements. The planning phase may include, but is not limited to, the following activities:
 - Conducting a community needs assessment;
 - Funding a project coordinator;
 - Coordinating and conducting planning meetings;
 - Establishing an advisory/consulting committee; and
 - Developing visitation center policies and protocols.
- 2) Implementation Phase: Upon successfully completing the planning phase, grantees will begin implementing supervised visitation and exchange services over the remainder of

⁴ Notwithstanding the “phased” implementation, applicants will submit 1 budget reflecting 36 months of activity.

the project period. Funds are limited to \$350,000 for the course of the implementation phase. The grantee will continue working with OVW and OVW Technical Assistance providers to implement their Supervised Visitation project. Please see Appendix A for a sample development budget.

Applicants applying for a development project grant are required to set aside \$50,000 for OVW training and technical assistance.

Continuation Projects

Current grantees are eligible to apply for supplemental funds to continue and/or enhance their existing programs.⁵ Multi-jurisdictional and state initiatives must meet statutory and program requirements for each jurisdiction involved in the project. In FY 2007, the Supervised Visitation Program is offering two different funding options for current grantees: 1) the standard two-year project; or 2) the optional five-year project. Please note that state applicants are only eligible to apply for the standard two-year project.

Five-Year Project

Under the five-year project, successful local and tribal applicants⁶, including non-state multi-jurisdictional⁷ local applicants, will receive funding in descending amounts over a five-year period and will not be required to compete for continuation funding after the first two-year (24 month) cycle. Subsequent funding for years three through five is contingent upon continued appropriations for the program, and grantee compliance with program requirements and grant award special conditions. Continuation funding is, therefore, not guaranteed. Additionally, OVW may choose to discontinue the five-year project, in which case participants would be eligible to apply for any funds available generally to continuation applicants. Successful applicants will also be required to submit a five-year strategic plan describing their commitment and capacity to continue the project when federal funds are decreased or no longer available. Subject to the stated contingencies, awards will be made in the following manner: successful applicants will receive an initial award in FY 2007, based on a 24 month budget for no more than \$250,000; a subsequent award will be made in FY 2009 for no more than \$175,000 for 24 months; and in FY 2011 the final award will be based on a 12 month budget for no more than \$75,000, for a total of no more than \$500,000. At the completion of the five-year project, successful grantees and their supervised visitation/safe exchange provider subgrantee partner(s) will not be eligible to apply to a Supervised Visitation solicitation for 12 calendar months after their final financial and progress reports have been submitted.⁸ OVW has the discretion to make grants for greater or lesser amounts than requested and to negotiate the scope of work and budget with applicants prior to award of a grant.

Standard Two-Year Project

State, local and tribal applicants may elect to submit an application and budget reflecting a standard two-year (24 month) project. Local and tribal applicants (including multi-jurisdictional local applicants) may apply for up to \$200,000 for 24 months of funding. State applicants may apply for up to \$750,000 for 24 months of funding, depending upon the number of jurisdictions

⁵ In future years, funding priority will be given to five-year grant projects.

⁶ State applicants may not apply for five-year project funding.

⁷ A local unit of government proposing two or more supervised visitation centers in two or more jurisdictions.

⁸ Please note that the next OVW Safe Havens Solicitation for which you may be eligible to apply after the completion of your five-year award could be more than 12 months from the time your final financial and progress reports are submitted. For example, if a grantee's project ends on 9/30/2012, but the final financial and progress reports are not submitted until 1/1/2013, the grantee will have to wait until 1/1/2014 to apply for the next open Safe Havens Solicitation, which based on current solicitation release patterns may not occur until December 2014.

in which supervised visitation centers are being proposed. State applicants must propose supervised visitation centers in at least two jurisdictions. State applicants proposing supervised visitation centers in two jurisdictions can apply for up to \$200,000 for 24 months. State applicants proposing supervised visitation centers in more than two jurisdictions are eligible to apply for \$200,000 for the first two jurisdictions and up to \$150,000 for each additional jurisdiction in which a supervised visitation center is proposed, not to exceed a total budget request of \$750,000. State applicants proposing supervised visitation centers in six or more jurisdictions may not exceed the \$750,000 budget cap. Please note that OVW reserves the right to make awards for lesser or greater amounts.

Availability of Funds

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

Award Period

The award period for these grants will be:

- Development project applicants: three-years (36 months)
- Continuation project applicants: two-years (24 months)

Budgets must reflect the full length of project activity, and the total “estimated funding” (block 15) on the SF-424 must reflect either 24 or 36 months.

Award Amounts

Applicants should carefully consider the resources needed to successfully implement the proposed project and present a realistic budget that accurately reflects project costs. Supervised Visitation Program funds for FY 2007 will be awarded based on the following guidelines: up to \$400,000 for a three-year (36 months) development project; up to \$250,000 for the first two years (24 months) of a five-year local or tribal continuation project; up to \$200,000 for a standard two-year (24 months) local or tribal continuation project; and from \$200,000 to \$750,000 for a standard two-year (24 months) state continuation project depending upon the number of jurisdictions in which supervised visitation centers are being proposed. Please see page 16 for a table listing the budget caps for the development and continuation projects. Funds for years three through five of the five-year Continuation Project will be awarded upon successful completion of the prior years' grant activities and continued appropriation of the Supervised Visitation Program. OVW reserves the right to make awards for lesser or greater amounts.

Program Scope

The scope of the Supervised Visitation Program is defined by the following statutory considerations and minimum requirements. Applicants must address these considerations and requirements in the Project Narrative section of the application.

Statutory Program Purposes:

By statute 42 U.S.C. § 10420 (a), funds under the Supervised Visitation Program may be used for the following purposes:

- Provide supervised visitation and safe exchange of children by and between parents in situations involving domestic violence, dating violence, child abuse, sexual assault, or stalking;

- Protect children from the trauma of witnessing domestic or dating violence or experiencing abduction, injury, or death during parent and child visitation exchanges;
- Protect parents or caretakers who are victims of domestic and dating violence from experiencing further violence, abuse, and threats during child visitation exchanges; and
- Protect children from the trauma of experiencing sexual assault or other forms of physical assault or abuse during parent and child visitation and visitation exchanges.

Grant funds may be used for, but are not limited to, the following activities:

- Establishing supervised visitation and safe exchange services to meet a demonstrated need;
- Strengthening existing program operations;
- Expanding center services;
- Establishing statewide training and technical assistance projects;
- Increasing center staff;
- Enhancing security; and
- Developing training for staff and volunteers.

Statutory Considerations

The following statutory considerations will be taken into account when awarding grants:

- The number of families to be served by the proposed visitation programs and services;
- The extent to which the proposed supervised visitation programs and services serve underserved populations;⁹
- The extent to which the applicant demonstrates cooperation and collaboration with non-profit, nongovernmental entities in the local community served, including the state or tribal domestic violence coalitions, state or tribal sexual assault coalitions, faith-and/or community-based shelters, and programs for domestic violence and sexual assault victims; and
- The extent to which the applicant demonstrates coordination and collaboration with state and local court systems, including mechanisms for communication and referral.

Minimum Requirements

Under 42 U.S.C. § 10420(c), all applicants for the Supervised Visitation Program must:

- Demonstrate expertise in the area of family violence, including the areas of domestic violence or sexual assault, as appropriate;
- Ensure that any fees charged to individuals for use of programs and services are based on the income of those individuals, unless otherwise provided by court order;
- Demonstrate that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, are in place for the operation of supervised visitation programs and services or safe visitation exchange; and
- Prescribe standards by which supervised visitation or safe visitation exchange will occur.

⁹ The term “underserved populations” (42 U.S.C. § 13925(a)(33)) includes populations underserved because of geographic location, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General.

Activities That May Compromise Victim Safety

Ensuring victim safety is a guiding principle underlying this Program. Experience has shown that certain practices may compromise victim safety rather than enhance it. Certain responses by the authorities may have the effect of minimizing or trivializing the offender's criminal behavior. Accordingly, consistent with the goals of ensuring victim safety while holding perpetrators accountable for the criminal conduct, applicants are strongly discouraged from proposing projects that include any activities that may compromise victim safety, such as the following:

- Mediation, alternative dispute resolution, or family counseling as a response to domestic violence, sexual assault, or stalking;
- Offering perpetrators the option of entering pre-trial diversion programs;
- Batterer intervention programs that do not use the coercive power of the criminal justice system to hold batterers accountable for their behaviors; and
- Provision of services on the condition that victims seek protection orders, counseling, or some other course of action with which they disagree.

Unallowable Activities

Grant funds under the Supervised Visitation Program may not be used for any unauthorized purposes, including but not limited to the following activities:

- Lobbying, or lobbying – related activities;
- Fundraising;
- Research projects;
- Therapeutic visitation;
- Parent Education/Batterer Intervention Programs;
- Individual, group, and family counseling; and
- Physical modifications to buildings, including minor renovations.

Performance Measures

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act (GPRA), Public Law 103-62, applicants who receive funding under this solicitation must provide data that measures the results of their work. Performance measures for this solicitation are as follows:

<i>Objective</i>	<i>Performance Measures</i>	<i>Data Grantee Provides</i>
Strengthen partnerships for safer communities and enhance the Nation's capacity to prevent, solve, and control crime.	1) the number of supervised visitation and exchange centers supported by the program; 2) the number of supervised visits between parents and children; and, 3) the number of supervised exchanges between parents and children.	This information will be provided to OVW through semi-annual progress report forms. Please see http://muskie.usm.maine.edu/vawamei/formhavens.htm#dwnfrm for a sample form.

Abstracts will be reviewed by the peer review panels according to the following criteria:

- Conciseness; and
- Accuracy in summarizing the Project Narrative.

C. Status of the Current Project (not to exceed 5 pages)

Only applicants for continuation funding need to complete this section. This section will just be used for internal review. Applications that do not meet the criteria below may receive a deduction in points. This section should be provided on a separate page as it is a separate section from the program narrative and does not count toward the page limits of the narrative. State what has been accomplished with previous funding under the Supervised Visitation Program, including the following:

- A description of the goals and objectives from the prior grant period and a brief discussion of the status of the existing project;
- The status of any project products;
- Any unanticipated obstacles to project implementation;
- The approximate unobligated amount of award funds remaining as of February 13, 2007, the anticipated time line for expenditure of all remaining funds within the grant award period, whether the grantee anticipates requesting a no-cost extension of the award, and the likely timeline for such a request; and
- A list of all OVW-sponsored technical assistance events attended during the life of the current award, including the title, location, and date(s) of each.

This section should be as clear and succinct as possible.

Additionally, current projects will be rated by OVW using the following criteria:

- Whether progress reports submitted by the applicant, in conjunction with monitoring conducted by OVW, demonstrate the effectiveness of the current project, indicating progress toward meeting project goals and objectives, and demonstrate that the current project has progressed in a timely manner as outlined in the original proposal;
- Whether the grantee has demonstrated that past activities supported with Supervised Visitation funds have been limited to program Purpose Areas;
- Whether the grantee has complied with all special conditions of its existing grant award from the Department of Justice;
- Whether the grantee has adhered to programmatic and financial reporting requirements;
- Whether the grantee has demonstrated a commitment to sustaining the project after federal funds are no longer available;
- Whether the grantee appropriately utilized and actively participated in OVW-sponsored workshops and other technical assistance events as required by a special condition of the current award;
- Whether the grantee has received financial clearances on all current grants from DOJ;
- Whether the grantee has complied with the Office of Management and Budget audit requirement, if applicable; and
- Whether grant funds have been spent in a timely manner.

Please note, applicants with an OVW grant history that have failed to meet grant deadlines, did not comply with Office of Justice Programs' (OJP) financial requirements, or did not comply with special conditions from previous grants, will not be considered for funding.

D. Purpose of Application (10 points)

This section should briefly:

- Describe the problem to be addressed and how funding would alleviate it;
- Identify the target population and state how the target population would benefit from the proposed project (please use current demographic information of the service area in order to be as specific and detailed as possible when describing the population to be served);
- Describe current services and gaps;
- Describe the community's service area in which the project would be implemented, including location, population, and demographic information; and
- Describe how the proposed project complements the State's STOP Violence Against Women Implementation Plan.

E. What Will Be Done (40 points)

Development grant applicants should submit a statement describing how the proposed project would assist the jurisdiction(s) in addressing the identified need, the issues to be addressed during the planning process, and the expected outcomes. Applicants for development grants should provide detailed information on the project goals and objectives, describe the specific tasks and activities necessary for accomplishing each goal and objective, and include a timeline that identifies when those activities will be accomplished. **Applicants should also include a letter certifying that the development project will meet the statutory and minimum requirements of the grant program (see minimum requirements on page 9).**

Continuation grant applicants should submit a statement describing how the proposed collaborative project would assist the jurisdiction in addressing the identified need. Applicants should also provide detailed information on the project goals and objectives, mechanisms for referrals to the visitation and exchange center, a description of the specific tasks and activities of each collaborative partner, and include a timeline that identifies when the project activities will be accomplished. In addition, applications, if applicable, must include a description of services currently offered by the existing program and how these services will be enhanced by the proposed collaborative project.

In addition to the above criteria, this section will also be rated on the following:

- The extent to which the application clearly demonstrates continued development and/or implementation of a program to increase supervised visitation and exchange options for families with a history of domestic violence, dating violence, child abuse, sexual assault, or stalking;
- The extent to which the application addresses the minimum requirements of the Supervised Visitation Program;

Appendix B

Sample Memorandum of Understanding

SAMPLE MEMORANDUM OF UNDERSTANDING

The County of _____ is the lead Safe Havens: Supervised Visitation and Safe Exchange Grant Program applicant, and supports the Local Supervised Visitation Center (LSVC). The County of _____ enters into a Memorandum of Understanding (MOU) with the Community Domestic Violence Agency (CDVA), LSVC and the local court system.

I. History of Relationship

The Local Supervised Visitation Center began collaborating with the Community Domestic Violence Agency in 1999. The LSVC and CDVA Directors met regularly to discuss the provision of visitation services to victims of domestic violence. Throughout this relationship, CDVA provided training for LSVC staff and volunteers in the following areas: recognizing signs of domestic violence; methods and strategies for working with victims of domestic violence; and, domestic the potential impact of domestic violence on children and the battered person. LSVC accepts referrals from CDVA and the local court system for women in need of supervised visitation services. Additionally, the LSVC and CDVA Directors continue to meet on a monthly basis to develop a comprehensive plan for building a larger collaboration focused on supporting domestic violence response and supervised visitation.

The partnering organizations' ultimate goal is the protection of domestic violence victims and their children in all settings. As a result, LSVC and CDVA are striving to develop an expanded collaboration including child abuse and neglect organizations, law enforcement, courts, hospitals, legal advocates, families, and community groups. The LSVC and CDVA Directors have identified the local court system as a partner, and a court representative has begun attending their monthly planning meetings. The group's immediate goal is to develop an awareness and understanding among the potential collaborators of the unique circumstances surrounding supervised visitation in cases of domestic violence.

II. Development of Application

Discussions regarding the collaborative effort that is proposed in the application and detailed in this Memorandum began in earnest in June, 2000. During their regular monthly meetings, the agency directors and court representative discussed the elements of the application and the appropriate roles for each partner. The LSVC Director met with center staff to develop a grant application response. This draft was supplemented with key judicial and CDVA staff recommendations. The LSVC Director also conducted an independent study of similar supervised visitation programs in other jurisdictions. This information

enhanced the quality of proposed programmatic elements. Additionally, the Directors discussed the application process and expectations with the potential members of the evolving collaboration. These representatives provided input in the initial development phase and feedback throughout the process. Recent meetings among the Executive Directors, County representatives and local court representatives have led to the agreement reflected in this Memorandum and the submission of the grant application.

III. Roles and Responsibilities

Community Domestic Violence Agency

The CDVA Executive Director will provide co-leadership with the Director of the LSVC for all non-administrative duties related to developing a cross-agency collaboration among the child abuse and neglect organizations, law enforcement, courts, hospitals, legal advocates and community groups.

The CDVA training staff will provide up to three domestic violence awareness training sessions per year to the LSVC. Additional collaboration members will be invited to participate in these sessions.

Refer all domestic violence victims with children in need of supervised visitation or exchange services to LSVC and follow-up on the outcome of the referrals.

Promote training/education of local law enforcement agencies and court representatives regarding domestic violence issues and supervised visitation. The CDVA may enter into agreements with these agencies as to the number of training sessions to be provided.

Supervised Visitation Center

Dedicate X number of staff and volunteers to providing supervised visitation services to families impacted by domestic violence, child abuse, sexual assault and stalking.

Provide facilities (e.g. rooms, enclosed playground, etc.) for the program service objectives.

The Director will support the growth of the collaborative effort, and supervise all LSVC activities. Additionally, the Director will submit program evaluation information to local and national evaluators as required by the grantor. Submit financial documentation for accounting as needed.

Maintain the confidentiality of individuals and families using the LSVC's services.

Appendix C

Sample Letter of Intent to Collaborate

Sample Letter of Collaboration

Dear OVW Representative,

This letter confirms Community Domestic Violence Agency's (CDVA) intent to collaborate with the City of Lake Western to plan and develop visitation and exchange services for victims of domestic violence, child abuse, sexual assault, and stalking. As part of the planning process, CDVA intends to enter into a memorandum of understanding with the City of Lake Western and all other partners to implement the supervised visitation plan. CDVA completed a needs assessment last year to determine the gaps in visitation and exchange service provision. The outcome of this assessment indicated a need for improved methods of providing supervised visitation and exchanges. The assessment confirmed that battered individuals and their children were at risk for further abuse because of the lack of safe supervision and exchange sites.

As a result of this assessment, CDVA is committed to supporting the City of Lake Western's Project Coordinator in creating a safe place for visitation and exchanges. CDVA's Executive Director will consult with the Project Coordinator to ensure that victim safety is not compromised by using the center. Additionally, CDVA staff members will have an opportunity to participate on a committee researching existing supervision centers and best practice methods with a domestic violence focus. A function of this committee is the development of a time-line and task plan for the implementation of a supervised visitation center. This committee will also provide training to all staff and volunteers hired to work in the center. As the project becomes more defined, CDVA intends to fulfill any other appropriate roles determined by the Project Coordinator and Executive Director.

After the center becomes operational, CDVA will provide training and consultation services on an as needed basis. CDVA will also refer clients to the center for supervised visitation and exchange services. The Executive Director and designated staff person will also participate on the City of Lake Western's advisory board. CDVA is committed to the development and successful implementation of the Supervised Visitation Center in the City of Lake Western.

Sincerely,

CDVA Executive Director